

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA

Plaintiff,

Criminal No. 11-20129

vs.

HON. ROBERT H. CLELAND

D-5 JEFF GARVIN SMITH
a/k/a "Fat Dog"

D-6 PAUL ANTHONY DARRAH
a/k/a "Pauli"

D-8 VINCENT JOHN WITORT
a/k/a "Holiday"

Defendants.

**ORDER TO COMPEL DEFENDANTS JEFF GARVIN SMITH,
PAUL ANTHONY DARRAH AND VINCENT JOHN WITORT
TO MAKE KNOWN ANY REQUEST FOR A JURY
DETERMINATION OF FORFEITURE AND SPECIFY
PROPERTY FOR JURY'S FORFEITURE DETERMINATION**


Based upon the Motion of the Government for an Order to Compel

Defendants Jeff Garvin Smith, Paul Anthony Darrah and Vincent John Witort to
Make Known Any Request for a Jury Determination of Forfeiture and Specify
Property for Jury's Forfeiture Determination, and the concurrence by the attorneys
for these three defendants in the relief sought by the government in the motion, the
Court orders the following:

1. On or before December 17, 2014, Defendants Jeff Garvin Smith, Paul Anthony Darrah and Vincent John Witort shall make known in writing, filed with the Court, whether any of them requests that the jury be retained to determine the forfeitability of specific property if the jury returns a guilty verdict; and
2. On or before December 17, 2014, if requesting retention of the jury, Defendants Jeff Garvin Smith, Paul Anthony Darrah and Vincent John Witort shall provide the Court and the government with a list of all property for which the defendant(s) seeks the jury's forfeiture determination in the event of conviction.

The Court further orders that the failure to file a request to retain the jury or provide the list of property as ordered above shall be deemed to be a waiver of the right provided by Federal Rule of Criminal Procedure 32.2(b)(5)(A) to retain the jury to determine the forfeitability of specific property if the jury returns a guilty verdict.

IT IS SO ORDERED.



HONORABLE ROBERT H. CLELAND
United States District Court Judge

DATED:

11 Dec 14